

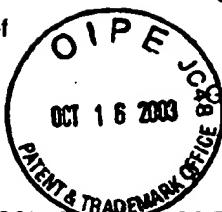
In re Patent Application of

SENECI

Serial No. 09/859,518

Filed: May 18, 2001

Title: EDULCORATING SOLUBLE COMPOSITION CONTAINING ALIMENTARY
FIBRES, ITS PREPARATION AND USE FOR ALIMENTARY PURPOSE



Atty Dkt. 622-46

C# M#

Group Art Unit: 1761

Examiner: Hndricks

Date: October 16, 2003

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Correspondence Address Indication Form Attached.

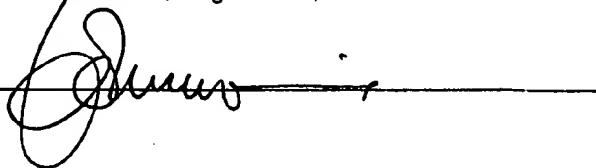
Fees are attached as calculated below:

| | | | | |
|--|--|----------------------|---------------------------|------------------|
| Total effective claims after amendment | 0 | minus highest number | | |
| previously paid for | 20 | (at least 20) = | 0 | \$ 18.00 |
| Independent claims after amendment | 0 | minus highest number | | |
| previously paid for | 3 | (at least 3) = | 0 | \$ 86.00 |
| If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) | | | \$ | 0.00 |
| P | tion is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) | | \$ | 110.00 |
| Terminal disclaimer enclosed, add \$ 110.00 | | | \$ | 0.00 |
| <input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) | | | \$ | 0.00 |
| <input type="checkbox"/> Please enter the previously unentered , filed | | | | |
| <input type="checkbox"/> Submission attached | | | | |
| | | | Subtotal | \$ 110.00 |
| If "small entity," then enter half (1/2) of subtotal and subtract | | | -\$ | 0.00 |
| <input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith | | | | |
| Rule 56 Information Disclosure Statement Filing Fee (\$180.00) | | | \$ | 0.00 |
| Assignment Recording Fee (\$40.00) | | | \$ | 0.00 |
| Other: RCE | | | | 770.00 |
| | | | TOTAL FEE ENCLOSED | \$ 880.00 |

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LCM:lfn

NIXON & VANDERHYE P.C.
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 

10/17/2003 HVUONG1 00000053 09859518

02 FC:1251 110.00 OP

Adjustment date: 11/21/2003 EEKUBAY1
10/17/2003 HVUONG1 00000053 09859518
02 FC:1251 -110.00 OP

783864

11/21/2003 EEKUBAY1 00000026 09859518

01 FC:2251 55.00 OP

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTALJCA8
OCT 16 2003
U.S. PATENT & TRADEMARK OFFICE

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|--------------|
| Application Number | 09/859,518 |
| Filing Date | May 18, 2001 |
| First Named Inventor | SENECI |
| Group Art Unit | 1761 |
| Examiner Name | Hendricks |
| Attorney Docket Number | 622-46 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 12, 2003
(Any unentered amendment(s) referred to above will be entered)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

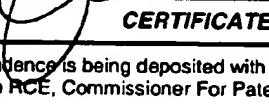
- a. The Director is hereby authorized to charge any deficiency in the fees submitted, or credit any overpayments, to
Deposit Account No. 14-1140
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) : 10/17/2003 HVU0H61 00000053 09859518
 - iii. Other _____
- b. Check in the amount of \$770.00 01 FC:1801 770.00-OP enclosed
- c. Payment by credit card (For PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|------------------|
| Name (Print Type) | Leonard C. Mitchard | Registration No. (Attorney/Agent) | 29,009 |
| Signature |  | Date | October 16, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|---|------|--|
| Name (Print Type) | | Date | |
| Signature |  | | |

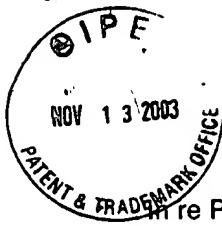
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Commissioner for

Adjustment date: 11/21/2003 EEKUBAY1
10/17/2003 HVU0H61 00000053 09859518
01 FC:1801 -770.00 OP
11/21/2003 EEKUBAY1 00000026 09859518

02 FC:2801

385.00 OP

Repn. Ref: 11/21/2003 EEKUBAY1 0011144500
Date: 141140 Name/Number: 09859518
FC: 9204



DAP/Paf
H 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 13 2003

re Patent Application of

SENECI

Serial No. 09/859,518

Filed: May 18, 2001

Atty. Ref.: 622-46

PATENT MAINTENANCE
Group: 176 DIVISION

Examiner: Hendricks

For: EDULCORATING SOLUBLE COMPOSITION CONTAINING
ALIMENTARY FIBRES, ITS PREPARATION AND USE FOR
ALIMENTARY PURPOSE

US PATENT & TRADEMARK
OFFICE

November 13, 2003

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

A refund is respectfully requested for the overpayment made with the filing of a Request for Continued Examination (RCE) and a Petition to Extend, filed on October 16, 2003 (copy enclosed). When the RCE and Petition to Extend were filed, applicant's attorney inadvertently listed "\$880.00 as the basic filing fees of this patent application, when in fact the correct amount is "\$440.00" for a small entity. Therefore it is requested that the overpayment of \$\$440.00 be refunded to applicant's undersigned attorney by crediting \$440.00 to our account no. 14-1140 under Order No. 622-46. For this purpose a duplicate copy of this paper is enclosed.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Leonard C. Mitchard
Reg. No. 29,009

Adjustment date: 11/21/2003 EEKUBAY1
09/17/2002 HVUONG1 00000126 09859518
01 FC:103 -108.00 DP

11/21/2003 EEKUBAY1 00000027 09859518
01 FC:2202 54.00 DP

LCM:Ifm

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Repln. Ref: 11/21/2003 EEKUBAY1 0011163100
DAH:141140 Name/Number:09859518
FC: 9204 \$54.00 CR

REFUND REQUEST
OFFICE OF PENDING
US PATENT & TRADEMARK
11/21/2003

792428

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

SENECI'

Serial No. 09/859,518

Filed: May 18, 2001

Title: EDULCORATING SOLUBLE COMPOSITION CONTAINING ALIMENTARY
FIBRES, ITS PREPARATION AND USE FOR ALIMENTARY PURPOSE

Atty Dkt. 622-46

C# M#

Group Art Unit: 1761

Examiner: Hendricks

Date: October 16, 2003

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

| | | | | |
|--|----|----------------------|---|------------|
| Total effective claims after amendment | 0 | minus highest number | | |
| previously paid for | 20 | (at least 20) = | 0 | x \$ 18.00 |
| | | | | \$ 0.00 |

| | | | | |
|------------------------------------|---|----------------------|---|------------|
| Independent claims after amendment | 0 | minus highest number | | |
| previously paid for | 3 | (at least 3) = | 0 | x \$ 86.00 |
| | | | | \$ 0.00 |

| | | |
|--|----|------|
| If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) | \$ | 0.00 |
|--|----|------|

| | | |
|--|----|--------|
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) | \$ | 110.00 |
|--|----|--------|

| | | |
|---|----|------|
| Terminal disclaimer enclosed, add \$ 110.00 | \$ | 0.00 |
|---|----|------|

| | | |
|---|----|------|
| <input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) | \$ | 0.00 |
| <input type="checkbox"/> Please enter the previously unentered , filed | | |
| <input type="checkbox"/> Submission attached | | |

| | | |
|----------|----|--------|
| Subtotal | \$ | 110.00 |
|----------|----|--------|

| | | |
|--|-----|------|
| If "small entity," then enter half (1/2) of subtotal and subtract | -\$ | 0.00 |
| <input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith | | |

| | | |
|--|----|------|
| Rule 56 Information Disclosure Statement Filing Fee (\$180.00) | \$ | 0.00 |
|--|----|------|

| | | |
|------------------------------------|----|------|
| Assignment Recording Fee (\$40.00) | \$ | 0.00 |
|------------------------------------|----|------|

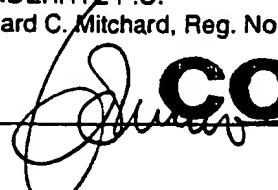
| | | |
|------------|--|--------|
| Other: RCE | | 770.00 |
|------------|--|--------|

| | | |
|---------------------------|----|---------------|
| TOTAL FEE ENCLOSED | \$ | 880.00 |
|---------------------------|----|---------------|

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1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LCM:lfn

NIXON & VANDERHYPE P.C.
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 

COPY

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REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).



| | |
|------------------------|--------------|
| Application Number | 09/859,518 |
| Filing Date | May 18, 2001 |
| First Named Inventor | SENECI |
| Group Art Unit | 1761 |
| Examiner Name | Hendricks |
| Attorney Docket Number | 622-46 |

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 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 12, 2003
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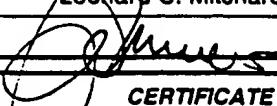
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- a. Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge any deficiency in the fees submitted, or credit any overpayments, to
Deposit Account No. 14-1140
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 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$770.00 enclosed
- c. Payment by credit card (For PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|--------|
| Name (Print Type) | Leonard C. Mitchard | Registration No. (Attorney/Agent) | 29,009 |
| Signature |  | | |
| Date | October 16, 2003 | | |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|--|--|--|
| Name (Print Type) | | | |
| Signature | | | |

COPY

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Commissioner for